

1
2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 KEVIN ROBINSON,

Case No. 2:19-cv-02091-KJD-NJK

6 Plaintiff

ORDER

7 v.

8 ROBERT BANNISTER, *et al.*,

9 Defendants
10

11 **I. DISCUSSION**

12 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections
13 (“NDOC”), submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and filed an application
14 to proceed *in forma pauperis*. Docket Nos. 1-1, 1.

15 Plaintiff’s application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C.
16 § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma*
17 *pauperis* and attach both an inmate account statement for the past six months and a properly
18 executed financial certificate on this Court’s approved form. Plaintiff has not submitted a properly
19 executed financial certificate or an inmate account statement for the past six months. See Docket
20 No. 1. As such, the *in forma pauperis* application is denied without prejudice. The Court will
21 retain Plaintiff’s civil rights complaint, Docket No. 1-1, but will not file it until the matter of the
22 payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the
23 deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing
24 fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he
25 must file a fully complete application to proceed *in forma pauperis*, including an inmate account
26 statement for the past six months and a properly executed financial certificate.

27

28

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis*, Docket No. 1, is **DENIED** without prejudice to file a new application.

IT IS FURTHER ORDERED that, no later than **February 10, 2020**, Plaintiff will either:

(1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments, including an inmate account statement for the past six months and a properly executed financial certificate, in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint, Docket No. 1-1, but will not file it at this time.

DATED: December 11, 2019.

NANCY J. KOPPE
UNITED STATES MAGISTRATE